

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT RELATES TO:

Case No. 1:14-cv-13507-RWZ

MDL No. 1:13-md-2419-RWZ

**FINAL ORDER APPROVING WRONGFUL DEATH DISTRIBUTIONS AND
DISMISSING THE CASE WITH PREJUDICE**

Petitioner Debra P. Buchanan, Executor of the Estate of Jean Hazel Dorothy Parsons, deceased, by counsel, pursuant to Va. Code § 8.01-55, requests the Court’s entry of an order approving the distribution of Settlement Proceeds among the Statutory Beneficiaries and others as reflected in their Petition for Final Approval of Distribution of Wrongful Death Settlement Proceeds Pursuant to Va. Code § 8.01-55 (the “Petition”).

Upon consideration of the Petition, the Agreement Regarding Distribution of Settlement Proceeds, and for good cause shown, the Court finds and orders the following:

1. The Court has previously approved the underlying settlement of the Petitioner's claims, subject only to a final order regarding distribution of the settlement proceeds. The Petitioner's claims under applicable settlement agreements have been processed, and funds have been awarded to Petitioner for payment to the Statutory Beneficiaries, subject to applicable attorney fees, costs and expenses, and liens.

2. The three Statutory Beneficiaries have reached an independent agreement as to how the settlement proceeds should be distributed after payment of attorney fees, costs and expenses, and liens. The agreement of the Statutory Beneficiaries is attached to the Petition as

Exhibit B thereto, and is hereby confirmed and approved. The Court hereby finds the attorney fees and expenses, to be paid as ordered below, to be fair and reasonable under the circumstances of this case.

3. The Petitioner has received a final payment letter from one agency with a valid and enforceable lien against the settlement proceeds. Medicare provided healthcare services to the Petitioner's decedent prior to her death. The amount of Medicare's lien is the following:

a. Medicare: \$21,409.09

4. The Tort Trustee is hereby ordered to make distribution of the settlement proceeds as follows:

a. To Crandall & Katt and Debra P. Buchanan, Executor of the Estate of Jean Hazel Dorothy Parsons, deceased: \$235,811.19, this amount to be further apportioned by Crandall & Katt as follows:

- (i) \$94,324.48 to Crandall & Katt in payment of its attorney fees;
- (ii) \$8,674.48 to Crandall & Katt in payment of its expenses associated with this case;
- (iii) \$21,409.09 to Medicare, in payment of its lien;
- (iv) \$37,134.38 to Walter Parsons in payment of his portion of the proceeds as Statutory Beneficiary;
- (v) \$37,134.38 to Debra P. Buchanan in payment of her portion of the proceeds as Statutory Beneficiary;
- (vi) \$37,134.38 to Peggie Sue Parsons-Powell in payment of her portion of the proceeds as Statutory Beneficiary;

5. The petitioner's lawsuit is hereby DISMISSED WITH PREJUDICE, with all parties to bar their own cost and expenses.

ENTER, this ____ day of _____, 2017.

United States District Court Judge

I request entry of this order:

/s/Patrick T. Fennell
Patrick T. Fennell, VSB 40393
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